

From: [Coltrain, Katrina](#)
To: [Nixon, Lance](#); [Benton, Marvin](#)
Subject: RE: Wilcox Oil Enhanced Corporate and Operational History Report 03-16-2015
Date: Monday, March 23, 2015 8:50:07 AM

Good Morning, Here are some of the thoughts and questions I had when I looked through the report.

Lance, is the Wilcox Enforcement Briefing still set for Thursday? I will be on travel through Wednesday. Were you thinking about having a team meeting prior to the briefing?

Draft Title Search Appendix C

1. Track 8, Section 4.8.2: Under this section, it is stated that Ohio passed its lease to Wilcox and retained a pipeline. Where does this pipe go? Is it connected to the Ohio Oil property just 1500 feet to the north?

"On August 19, 1938, The Ohio Oil Company assigned a lease for a tanksite located in the NW¼ of the NW¼ of Section 29 to H.F. Wilcox Oil and Gas Company. The Ohio Oil Company retained a four-inch pipe line extending over and across a part of the leased premises (Ref. 8, p. 36)."

2. Tract 8, Section 4.8.3: This section describes several transfers of pipe leases from and through Sunray Oil Corporation and Sunray DX Oil Company ending with Williams Pipeline Company, LLC (year 2002). Are these pipes active? Do we know where these pipelines lead and where material was transferred to? Does Williams have historical details related to pipelines that may still be on the property or that were removed and when they were removed?

3. Enhanced Corporate History: Many of these entities are tied to the site through leases or easements.
a. Do we know if pipelines were actually installed, maintained, and used under any of these leases?

b. Were any of these companies ever 'partners' with Bristow/Continental/Slick/Wilcox/Lorraine during operations?

c. Do we know where the oil was shipped using these pipelines?

d. Does BP, Marathon, SunPipeline, and/or Sunoco have historical document that show the locations of any pipeline, the removal of any pipelines, or the connections/end locations of these pipelines?

e. Is a lease or easement of a pipeline enough evidence to 'hold' a party liable when the lease or easement is not for operating the facility but only for the transportation of material? Perhaps, the argument could be made that the pipelines were not always secure, management practices were not custodial, and spills and leaks were common place, but without documentation could this be used to convince the parties to step forward?

4: Do we know who Continental/Lorraine/Wilcox were selling the oil to? How it was moved from the site (assume to be rail)? Other than the lease with Ohio Oil is there any other business connection that would include the Ohio facility that was located just to the north? Given the close proximity of these facilities, do we have any information that shows they regularly did business with one another?

5. It is stated that the BP response (Atlantic Richfield/Sinclair/Standard) uses the CERCLA petroleum exclusion as a defense against being a PRP. If this was oil exclusion than it would not be on the NPL, right? So it would seem that this line of reason is not supported.

6. It is stated that the 'defense' given by Sun Pipeline is that they cannot confirm responsibility. Does this response need more elaboration based on new information? This seems to be a poor response, almost as if they did not even put forth effort.

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-----Original Message-----

From: Nixon, Lance
Sent: Tuesday, March 17, 2015 11:18 AM
To: Benton, Marvin
Cc: Coltrain, Katrina
Subject: FW: Wilcox Oil Enhanced Corporate and Operational History Report 03-16-2015

Marvin,

This is a copy of report we had done by the enforcement contractors. I hope to have the reference documents today on disk or a thumb drive. Ben wants to try and brief Carl on the March 26. Do you think that provides us with enough time to review and make any decisions?

-----Original Message-----

From: Shultz, Kim
Sent: Monday, March 16, 2015 3:41 PM
To: Capuyan, Stephen
Cc: Nixon, Lance; Delano, Louise; Geraci, Kevin
Subject: Wilcox Oil Enhanced Corporate and Operational History Report 03-16-2015

Stephen,

Attached is the Enhanced Corporate and Operational History Report for Wilcox.

Please let us know how you would like the Cited Reference Documents; that is, we have each cited document as a separate PDF named according to how it is referred to in the text. We can put these in a folder on a thumbdrive or CD for your (Lance's) review. If you prefer that the references appear as one PDF'd document, then we need to combine the PDFs together for you with separator sheets.

As in the past, we are holding on to the certified documents until you are ready to receive them.

Please advise how you would like the PDF copies of the documents handled.

Best regards,

Kim Shultz
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